

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DARIUS KHAKSHOURI,

Plaintiff,

Case No. 12 CV 3587 (KBF)

-against-

PAUL KHAKSHOURI, KATAYOUN
KHAKSHOURI, KPK HOLDINGS,
LLC and MONTANA MOON, LLC,

Defendants.
_____x

~~PROPOSED~~ MODIFIED
ORDER TO SHOW CAUSE FOR
PRELIMINARY INJUNCTION,
TEMPORARY RESTRAINING
ORDER AND EXPEDITED
DISCOVERY

(KBF) On consent of all parties, it is

ORDERED, that the Modified Order to Show Cause for Preliminary Injunction,

Temporary Restraining Order and Expedited Discovery issued May 31, 2012 ("Modified Order")

is modified as follows:

1. that the above named defendants show cause before a motion term of this Court, at Room 15A, United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on July 11, 2012, at 4:30 o'clock in the afternoon thereof, why an order should not be issued:

a) pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining the defendants during the pendency of this action from transferring, pledging or encumbering any of defendants' property and assets or any interest therein, or incurring any debts; and

b) pursuant to Rule 26 of the Federal Rules of Civil Procedure, permitting plaintiff to serve limited expedited party and non-party discovery concerning defendants' property and assets

By stipulation of the parties (KBF)

and any debts owed to the defendants;

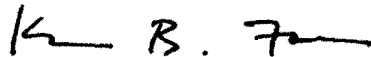
2. that sufficient reason having been shown therefor, pending the hearing of plaintiff's application for a preliminary injunction, pursuant to Rule 65, Fed. R. Civ. P., the defendants are temporarily restrained and enjoined from transferring, pledging or encumbering any of defendants' property and assets or any interest therein, or incurring any debts, except that: (I) to the extent the defendants have not already done so as permitted by the Modified Order, the defendants may pay a reasonable retainer for counsel to appear in this action; and (ii) in addition to the \$75,000 aggregate allowance for ordinary and necessary living and business expenses in the ordinary course permitted by the Modified Order, the defendants may pay an additional \$35,000 for ordinary and necessary living and business expenses in the ordinary course;

3. that security in the amount of sufficient to secure \$ 5,043,000 (less the amount of any other security posted by plaintiff in this action) be posted by the plaintiff prior to July 10, 2012, at 5:00 o'clock in the afternoon of that day; and

4. that, with respect to the Order of Attachment issued May 7, 2012, the time for plaintiff to file the documents required by Rule 6212 (c) of the New York Civil Practice Law and Rules is extended to July 10, 2012.

DATED: New York, New York

ISSUED: June 19, 2012



United States District Judge